

REMARKS

Applicants submit this Amendment Under 37 CFR 1.114 in support of the request for continued examination (RCE) filed concurrently herewith, and in response to: the final Office Action dated September 6, 2007, the Notice of Appeal filed March 6, 2008 and the Advisory Action mailed March 10, 2008. Applicants present new claim 27 hereby, which is dependent from independent claim 1, and directed to a medical practice information storage and searching system. Claims 1-27 are pending hereinafter, where claims 1, 20, 21 and 22 are the independent claims.

Examiner Gottschalk had rejected (on final) claims 1-10, 12, 14-16, 18 and 20-22 under 35 USC 102(b) in view of pending, published US Patent Application No. 2003/0074222 to Rosow, et al. (Rosow), in the final Office Action dated September 6, 2007. Claim 8 was rejected (on final) under 35 USC 103(a) by Rosow in view of US Patent No. 6,283,761 to Joao. Claim 11 was rejected (on final) under Section 103(a) by Rosow (as applied to claim 9) in view of US Patent no. 5,018,067 to Mohlenbrook, et al. (Mohlenbrook). Claims 13 and 19 were rejected (on final) under Section 103(a) by Rosow (as applied to claim 9) in view of US Patent 5,860,917 to Comanor, et al. (Comanor) and claim 17 was rejected (on final) under Section 103(a) by Rosow (as applied to claim 15) in view of US Patent No. 6,014,629 to DeBruin-Ashton.

The Response Under 37 CFR 1.116 filed on December 6, 2007 ("the December 6 Response"), was not entered, the March 10, 2008, Advisory Action indicating that the new

evidence presented by the December 6 Response raises issues that require a further search by the Patent Office.

In the December 6 Response, and in the instant Amendment Under 37 CFR 1.114, applicants respectfully submit that the present application predates Rosow, so that Rosow is not prior art under Section 102, and that this application has a right to priority under 35 USC §119 for January 9, 2001. Applicants' right of priority is based on Claim Of Priority mailed to the Patent Office on February 28, 2002, which submitted a certified copy of the priority document in Japanese (language). A copy of an English language translation of the Japanese priority document included a statement by the translator (dated November 29, 2007) attesting that the translation of the certified priority document is accurate, and correct.

The January 9, 2001, certified priority document, including the correct and accurate English language translation of same submitted herewith, predates Rosow by about nine (9) months, so that Rosow is not a proper prior art reference under 35 USC §102(b) (provisional application No. 60/317,784, filed September 7, 2001), and Rosow, therefore, is not a proper reference under 35 USC § 103(a), with respect to this application. Applicants, therefore, respectfully assert that the rejection of claims 1-10, 12, 14-16, 18 and 20-22 under 35 USC 102(b) in view of Rosow, the rejection of claim 8 under 35 USC 103(a) by Rosow in view of Joao, the rejection of claim 11 under Section 103(a) by Rosow (as applied to claim 9) in view of Mohlenbrook, the rejection of claims 13 and 19 under Section 103(a) by Rosow (as applied to claim 9) in view of Comanor and the rejection of claim 17 under Section 103 (a) by Rosow (as applied to claim 15) in view of DeBruin-Ashton are obviated, or overcome.

Conclusion

It follows that each of pending claims 1-27 is patentable in view of Rosow, in view of Rosow with Joao, in view of Rosow with Mohlenbrook, in view of Rosow with Comanor, and in view of Rosow with DeBruin-Ashton. Applicants therefore urge the Examiner to reconsider the rejection of claims 1-26, and allow each of pending claims 1-27. If the Examiner believes that a telephone conference with applicants' attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,



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